

TEXAS TO GET H. CLAY PIERCE

U. S. SUPREME COURT DISMISSES
OIL MAN'S APPEAL.

Here Now and No Missouri Officers Have
Shown Up Yet—Hint of a Possible
Application for a Rehearing—Charge
in Texas Is Perjury and Two Years Old.

Henry Clay Pierce of the Waters-Pierce Oil Company, who has been living at the home of R. T. Wilson, Jr., at 15 East Fifty-seventh street, was unpleasantly surprised yesterday by news from Washington that the United States Supreme Court had dismissed the appeal by which he sought to avoid extradition from Missouri to Texas, a State where the Waters-Pierce company is not only not esteemed but not even tolerated. Texas wants to try Mr. Pierce for swearing that his company was not a member of any combination for fixing the price or output of oil in that State and has indicted him for perjury. Mr. Pierce had given \$70,000 bail pending the appeal.

At the Wilson home it was said last night that Mr. Pierce had gone away but was thought to be in town. He did not leave his address with the servants. At the Hotel Plaza, where also Mr. Pierce has apartments, it was said that he was not in, and there were no signs about the Plaza that any officers were looking for him. It will take some days to remit the Washington decision to St. Louis.

Joseph H. Choate, Jr., of Exeter, Choate & Sherman, counsel for Mr. Pierce, said last night that no one knew what would be done until the papers in the case got here. Joseph H. Choate the elder is associated with this firm as counsel.

Mr. Pierce sent a telegram to his counsel in St. Louis, Judge H. S. Priest, and from what Mr. Priest said afterward it was evident that Mr. Pierce does not intend to be taken to Texas for trial if further appeal to courts can prevent it. The question with his counsel is whether any further appeal will be effectual. Judge Priest said that Pierce's counsel will not advise him on the resistance question until they see the Federal Supreme Court's decision, which may give grounds for an application for a rehearing. Judge Priest implied that he had some cards up his sleeve. "You may say," said he, "that Mr. Pierce has not started for Texas yet. I have told him there is no chance of his conviction on such a flimsy indictment as this one is if he can get a fair trial. My information is that the indictment was procured without a single witness having gone before the Grand Jury. The procedure by which Texas's Attorney-General obtained the indictment was decidedly unusual if not altogether illegal. The name of J. P. Gruett is attached to the indictment, but Gruett did not appear before the Grand Jury. The whole business is a political game and the prejudice arising from that condition is the only thing Mr. Pierce has to fear."

When asked if Mr. Pierce had intended going to Europe this summer, Mr. Priest replied: "Not that I know of, but I have planned a trip to Europe, and I would be glad if Mr. Pierce would accept the invitation to go abroad with me."

Mr. Pierce's troubles began in December, 1905, when the process servers from the State of Missouri besieged him for several weeks at the Waldorf-Astoria in their efforts to subpoena him in the litigation conducted by Attorney-General Hadley of Missouri into the connection between the Standard Oil Company and the Waters-Pierce Oil Company. Mr. Pierce finally capitulated by promising to testify in St. Louis in March.

He was ill at that time and was not examined until September. At the hearing he testified that up to the time when his company was reorganized in 1905 and practical control of it passed to the Standard Oil Company the company made a profit of from 800 to 700 per cent. a year, doing a large business in Texas. He said that an inexperienced agent had made an agreement with the Standard Oil Company to take Texas in 1900 which resulted in the expulsion of the Waters-Pierce company from that State. He himself went to Texas and was informed that no company with affiliations with the Standard could do business in that State. This was explained to the Standard Oil people and led to a reorganization of the Waters-Pierce company.

Mr. Pierce said that up to May 29, 1900, he had 100 per cent. of his company's stock. Then he transferred 55 per cent. to an unknown party representing the Standard Oil Company. It was agreed that he should continue to control the Waters-Pierce company, that the name of the Standard as the majority stockholder should not appear on the company's books and that the stock should remain in his name. When he was asked if the purpose of this was not to cover up something and to get a license in Texas without the Standard Oil Company's objection to the Standard Oil Company's testimony, he said: "I do not know. I have no idea of the purpose of the Standard Oil Company's testimony. I have no idea of the purpose of the Standard Oil Company's testimony. I have no idea of the purpose of the Standard Oil Company's testimony."

In February, 1907, Mr. Pierce was indicted by the Grand Jury at Austin, Tex., for false swearing, but before he could be arrested he left St. Louis for New York. The indictment charged that on May 31, 1900, Mr. Pierce made an affidavit that the Waters-Pierce Oil Company had not entered into any agreement or understanding with any corporation, partnership, firm or individual to regulate the price of any article or commodity. It charged that at the time Mr. Pierce made the affidavit he knew that the company had entered into an agreement with the Standard Oil Company to control the price of oil in Texas and that the Standard Oil Company had acquired the controlling interest in the Waters-Pierce company. Mr. Pierce was not arrested until the following May. He resisted extradition, but Gov. Folk granted permission for his removal and he was remanded to the custody of the chief of police to await the arrival of officials from Texas. Pierce then applied to the Federal Court for his release on a writ of habeas corpus, contending that the indictment of the Texas court was no crime, and that even if it did constitute was barred by the Texas statute of limitations.

The court denied the petition, holding that the indictment did contain the substance of a crime and that the three-year statute of limitation did not run during the period that Pierce was out of the State of Texas the crime fell within the limit. The Supreme Court yesterday affirmed the judgment of the lower court that the indictment sufficiently showed the com-

mission of a crime to warrant his removal to Texas for trial, but anyhow, if it were found defective or otherwise insufficient, that matter could be remedied in the trial court.

The court, said Justice Moody, who delivered the opinion of the unanimous bench, had already decided that an indictment in order to constitute a sufficient charge of crime to warrant interstate extradition need show no more than that the accused was substantially charged with crime. The present indictment met and surpassed that standard, and was enough. If more were required it would impose upon courts in the trial of writs of habeas corpus the duty of a critical examination of the laws of States with whose jurisprudence and criminal procedure they could have only a general acquaintance. Such a duty would be an intolerable burden, certain to lead to errors in decision, irritable to the just pride of the States and fruitful of miscarriages of justice. The duty ought not to be assumed unless it was plainly required by the Constitution, and in the opinion of the court there was nothing in the letter or spirit of that instrument which required or permitted its performance.

Two cases involving the validity of the proceedings under which the Waters-Pierce company was ousted from Texas are now pending in the Supreme Court.

TEXAS IN NO HURRY.—The Texas authorities are waiting for the mandate of the United States Supreme Court, which it is believed here will not be issued until a motion for rehearing has been filed and overruled.

As to-day was the last day of court Mr. Pierce's motion could hardly be submitted until next fall, and anyhow the Texas authorities would not bring Pierce to Texas now, as the present term of the Travis county District Court will have ended before he could be produced and tried. Sheriff Matthews, who went to St. Louis for Pierce, will be responsible to the order of the district court, which will act according to the mandate of the Supreme Court when it is received.

LEAVE TO PRINT FOR FIVE DAYS.

The Congressional Record Burdened
With Speeches That Were Never Delivered.

WASHINGTON, June 1.—Before Congress adjourned members of the House voted themselves "leave to print for five days" after adjournment. Many worthy Representatives were not slow to take advantage of the opening for the appearance in print of oratorical flourishes. The first issue of the appendix to the Congressional Record is a bulky document, bearing the burden of oratorical delivered in silence. Some of the speeches bear dates running back for weeks giving the earmarks of authenticity. No unsuspicious reader could doubt they were not delivered from the floor in Websterian style.

Minority Leader Williams, who led the fight against the passage of the resolution granting "leave to print," availed himself of the privilege by inserting a speech on the currency question. It reads well, notwithstanding that the audience was limited to the stenographer to whom he dictated the impressive argument. Representative Smith of Missouri gets in with some red hot sentences expressive of his feelings, boldly expressed and supposed to have burned the ears of the Republican members and made the echoes ring. Mr. Smith's subject gave him an opportunity for a spread. It was about the demands of labor and the merited condemnation of a Republican Congress that had dared to ignore it. At the end of Mr. Smith's speech, delivered only to himself since Congress adjourned, appears in parenthesis the words "applause on the Democratic side."

Proof is furnished by Representative Bannan of Ohio in the Congressional Record of speeches never delivered that the negroes of Ohio are all for Taft. Representative Lane of Ohio contributes an enlightening speech on national corporations. There are others, many of them, and several more days left of the leave to print. The most silent member of the House may become immortal in the next few days.

SAYS RACE BILL WILL PASS.

Agnew Expects to See It Enacted by Next Week Thursday.

Senator George B. Agnew, who will introduce the anti-race bill, said last Monday night after the reading of the message from the Governor advocating the legislation, said yesterday that he was satisfied that the bill would pass by about Wednesday or Thursday of next week. "Senator Foelker will be in attendance," he said; "there will be no absentees and the vote needed to pass the bill will be obtained. There may be an attempt to prevent a vote by filibustering, but I have the word of Senator Rainey, majority leader, that dilatory tactics will not be allowed."

ALBANY, June 1.—A quietus was put on rumors that Senator O'Neill, representing the Thirty-fourth district, had been induced to change his attitude on the anti-race bill by the Senator from his home town, St. Regis Falls. The statement is as follows:

Rumors of a change in my attitude on the Agnew-Hart bills are false. I shall continue to support Gov. Hughes as vigorously as ever.

WILLIAM T. O'NEILL.

BOOST FOR "THE OLD TICKET."

Movement in Indiana to Reelect Roosevelt and Fairbanks.

INDIANAPOLIS, June 1.—An effort is making to capture the Indiana delegation to the Chicago convention for President Roosevelt by suggesting to the delegates that the nomination of Fairbanks for first place is impossible and that Indiana would assist the President's supporters in bringing about his nomination.

Many of the delegates have been approached the past week with such a proposition and friends of the Vice-President believe that an organized effort is making to stampede the convention to "the old ticket." The delegates are reticent, and it is impossible to learn who is back of the scheme, but the name of former Gov. Durbin is being mentioned and also that of Judge Robert S. Taylor of Fort Wayne. Both are warm friends of the President and both are opposed to Fairbanks for President. Vice-President Fairbanks returned from Washington to-day and will remain here till after the national convention. He declined to discuss politics or the work of Congress, saying that there was nothing on his mind but a desire to reach home and to enjoy his quiet.

DEWEY'S OLD MADONNA OR SHERRY. Sherry before dinner, Madona after. H. T. Dewey & Sons Co., 128 Fulton St., New York.

WHITRIDGE UPSETS HIS HOTEL

DECIDES TO GO OUT OF BUSINESS,
BEGINNING WITH THE WINDOWS.

Some Thirty Couples Expected to the Cool Morning Air by the Wrecking Gang—Then the Landlord Calls the Police and Gets Ready to Collect Damages.

That ancient landmark of Harlem the Mount Morris Hotel, at 129th street and Third avenue, which has been under the rule of Receiver Frederick W. Whitridge since January, without successfully an assault by Mr. Whitridge's forces yesterday morning and was open for business last night as usual.

Mr. Reineman, it appears, has been running the hotel as lessee for four years. Nobody ever came bothering him when the Third Avenue Railroad had the hotel, but Mr. Whitridge was different. When he learned that he was running a hotel he delved into history and found that the Third Avenue had been in the hotel business for some time. It bought the Mount Morris when it wanted to make a loop for the old cable cars. Part of the hotel was cut away and the rest left to act as a shelter for the tired and a watering place for travelers over the Harlem bridge.

Mr. Whitridge was familiar with some of the hotels he was familiar with, but he couldn't recall that he had ever heard of the Mount Morris. None of his friends had ever spoken of it and he decided to give it a look. One look was enough. He went up to the Harlem terminus of his road and came right back again, without going inside the hotel. The outside impressed him unpleasantly. It wasn't at all up to his ideas of what hotels ought to be. He was not so telling what the Public Service Commission might say when it saw the place.

Mr. Whitridge thought over the matter and without consulting Mine Host Reineman wrote to the bondholders as follows:

At 129th street and Third avenue there are in front of the car barn a building used as a hotel and several tumble-down stores or warehouses. These buildings are all in an unsalvageable condition, and as they would need very considerable repairs in any event, I propose to clean out the main building, which is used as a hotel, and construct inside the present walls proper offices for the accommodation of the Third Avenue and other lines.

Having thus signed the death warrant of the old hotel, Mr. Whitridge proceeded to the execution. Yesterday was the day set, and at 7 o'clock yesterday morning the sixty guests, most of them couples, were roused from their slumbers by the tramping of feet up the winding stairs. Then came the sound of axes on the doors, the very doors behind which they were sheltered. Down went the doors, out of bed jumped men and women and in rushed the forces of Mr. Whitridge, led by Edward Maher, his general manager.

After reaching the top of the grand stairway, where the desk was, Mr. Maher had divided the sixty men recruited from the car barn and sent a party to each floor for a simultaneous assault. These divisions were subdivided into skirmishing parties, one to each room.

One of the largest rooms on the second floor of the old hotel was the meeting room of the roommen's union. It was invaded like the rest, the sashes and frames taken out of the windows and piled in a heap on the floor. All of the bedrooms facing Third avenue and the river were likewise invaded, and before the occupants had time to dress the windows were gone and the hotel seemed to be tumbling about their heads.

Some one had sent for Reineman. He got to the head of the stairs, and as the men came back for more windows he began throwing them down stairs, while behind him the startled guests, with and without baggage, cheered.

"The first man that comes up here goes to the bottom!" shouted Reineman to the invaders. "I'm the tenant here, and you can't punch holes in this hotel while I'm here."

The police came and the guests went back to their rooms for their clothes and dressed themselves in the halls, which were a little better screened from the public gaze than their late rooms. Reineman and Maher went to the Harlem court.

Reineman asked for protection from the house wreckers. He said that his tenants had been more than a month to run and that he had the privilege of a five years renewal. The Magistrate advised the wreckers to see Judge Lacombe, who appointed the receiver, before doing any more wrecking, and that ended yesterday's hostilities. Reineman went back and counted twenty-two broken windows and a lot of broken doors and said that he would begin making out his bill to-day.

"It was a perfect outrage," he said. "Why, the receivers' men without serving any dispossessment notice, mind you, walked in here and broke right into rooms that were occupied. Think of it! There will be a nice bill to pay for this."

Receiver Whitridge was found in his office at 36 Wall street. It is a quiet, restful and refined office. On the wall hang the Ten Commandments in a frame. Mr. Whitridge didn't seem to think that he would be defeated in his determination to get rid of his hotel. It was a matter of going this morning to Judge Lacombe and getting special authority to renew the assault.

"The men have been called off for the day, but I think the hotel will be removed," said Mr. Whitridge.

"Was there anything the matter with the hotel?" inquired the reporter.

"Well," said Mr. Whitridge, looking over to the Ten Commandments, "I have heard some reports about it and I once saw the outside of it, and it certainly wasn't nice at all to look at, not at all. No, I don't know what the inside of it is like, because, you see, I didn't go inside that time; I went up to look at it, but I have been told that it is very, very nasty."

MOVING PICTURE FILM LOSES MADDOFF AND DAGGER SCENES BEFORE PRESENTATION.

CHICAGO, June 1.—Lieut. Joel A. Smith, head of the police squad recently detailed to censor moving picture shows, to-day expurgated a film depicting scenes from Shakespeare's "Macbeth."

Lieut. Smith declined to approve the scene depicting the duel between Macbeth and Macduff. Another scene was cut out showing the stabbing of King Duncan. The police also ordered out a scene showing Macbeth wiping blood from a dagger. The censored scenes were clipped out and then the film got the approval of the police department.

FEAR OF REVOLUTION IN PANAMA

If Senor Arias Is Chosen President—The Situation Described as Very Alarming.

WASHINGTON, June 1.—According to the expressions heard in official circles there is great fear that a revolution will occur on the Isthmus of Panama if Senor Arias, the present Secretary of State, is elected President. The situation is described as very alarming. Herbert G. Squiers, the American Minister, who was summoned home by Secretary Root, telegraphed the State Department to-day that he would leave Colon for New York to-morrow on the Royal Mail steamer Magdalena.

President Amador is not a candidate for reelection. The other candidate than Senor Arias is Senor Obaldia, who has served as acting President while Amador was in Europe. During the period of that service the foundation for the present uneasiness was laid. He removed certain officials who were accused of grafting and made cabinet members out of Government money which it is alleged they intended to put in their pockets. Amador rescinded these actions when he resumed the Presidency.

Both Obaldia and Arias are Conservatives. The Liberals, who include the negro element, have endorsed Obaldia and are expected to start an insurrection if their man is defeated. The Government has removed the Governors of the provinces of Colon, Chiriqui and Coclé and it is charged that this was done to the influence of Arias, who will help his own cause thereby. Arias is accused of being a trust magnate, and this is an issue of the campaign.

The election will take place on July 11. Under the treaty between Panama and the United States this Government will have the right to preserve order on the Isthmus at any time. There is a hesitancy on the part of officials to admit that such a situation is contemplated, but it is evident that the subject has been considered and may be determined on Minister Squiers's visit to Washington.

COL. COEY BALLOONING WEST.

Aeronaut and Two Companions Sail From Quincy, Ill., to Break Records.

QUINCY, Ill., June 1.—The mammoth balloon of Col. Charles Andrew Coey of Chicago started from this city at 6 P. M., to-day on a trip to break records. The balloon took a course nearly due west and continued in that direction. The occupants of the basket are Col. Coey, president of the Federation of American Aero Clubs; Capt. C. L. Bumbaugh of St. Louis, builder of the balloon, and Charles H. Leichter, a newspaperman.

QUINCY CITY, Mo., June 1.—The balloon of Col. Coey of Chicago passed here at 8:45 o'clock this evening. NEWARK, Mo., June 1.—A message was dropped here to-night from Coey's balloon saying it was sailing due west fifteen miles an hour, 1,900 feet up, with fine weather.

GIRL LAWYER HONORED.

Miss Helen Begg and Two Brothers Admitted to Practice in U. S. Supreme Court.

WASHINGTON, June 1.—The whole Begg family was to-day admitted to practice before the United States Supreme Court. They are from New York City. The Begg comprise Miss Helen, Alexander and Roderick. The spectacle of three members of a family being enrolled among those attorneys entitled to the privilege of practicing law before the highest court in the land was unusual and excited a great deal of interest.

Miss Begg, a handsome young girl, is the twenty-seventh woman to be admitted to practice before the Supreme Court. Among the other ladies enrolled is day in executive session and appealed for some radical modifications of the orders relating to the service which the company is required to provide on the elevated and subway lines.

It was contended by Mr. Bryan and Mr. Hedley that the service now demanded by the commission was entirely too great for the amount of travel and that unless the company was permitted to make reduction in the number of cars and the number of trains run serious financial trouble would result.

In the last month there had been a large falling off in the number of passengers carried. Since the beginning of the year the commission had compelled the company to increase its car mileage 14 per cent., whereas the increase in travel had been only 5 per cent. In the corresponding period last year the increased traffic was 15 per cent. The commission was requested to allow the company to make up a new schedule allowing a reduced service in the summer months.

The matter was referred to Commissioners Eustis and Malthe, who will hold another conference to-day with Mr. Bryan and Mr. Hedley.

THIRD TERM RENUNCIATION.

President's Letter Said to Have Been Sent to U. S. Marshal Tamm of West Virginia.

WASHINGTON, June 1.—According to a rumor which found credence in Washington to-day, the identity of the mysterious person who received the alleged "no friend of mine" letter from President Roosevelt is established. The West Virginia citizen to whom this latest third term declaration was addressed is said to be Frank H. Tyree, United States Marshal in that State. Tyree was for several years an employee of the Secret Service and until 1906 acted as President Roosevelt's bodyguard, accompanying the President on all his journeys and being stationed at the White House when Mr. Roosevelt was in Washington.

The White House authorities to-day, while not denying that the third term letter was written, declined to give the name of the West Virginian to whom it was said to have been addressed. The last time Marshal Tyree visited Washington he said the political sentiment in West Virginia was strong for Roosevelt's re-nomination, but the President is reported to have expressed the hope in writing to his former bodyguard that "no friend of mine" would vote for him at Chicago.

13 INCHES OF SNOW IN NEVADA.

Region About Ely Begins June With the Heaviest Precipitation of the Year.

ELY, Nev., June 1.—This part of Nevada had the heaviest snow of the year last night and early to-day, when twelve inches of snow fell. Reports from the country around show that the storm was general, approaching the proportions of a blizzard in many places.

SUPERIOR TO LEONARDO.—A teaspoonful of Superior's Acid Phosphate added to a glass of cold water, refreshes and invigorates. As ideal tonic—dissolve.

MAURETANIA BEATS 'EM ALL

FASTEST TRIP EVER MADE ACROSS THE ATLANTIC.

Time, 4 Days 20 Hours 13 Minutes—She Did 488 Miles in One 26 Hour Day—Was Slowed by Fog on This Coast and Shy One Propeller Blade—Lusitania Beaten.

The Cunarder Mauretania, which anchored off Sandy Hook lighthouse at 7:30 o'clock last night, made the fastest trip ever done on the westward course and broke the record for a single day's run on the Atlantic lane, reeling off on the twenty-five hour day ending at noon on Sunday 685 miles, thus averaging 25.40 knots. The single day record had been held by the Lusitania, and was just three knots less than that of the Mauretania.

The Mauretania did not time herself from Daunt's Rock, outside Queenstown, as she came directly from Liverpool, but it is estimated that she was about 400 miles in time after 4 o'clock on Thursday morning. Her time between the racing marks, Daunt's Rock and the Sandy Hook lighthouse, was 4 days, 20 hours and 13 minutes, and her average speed for the trip 24.86 knots. She covered 2880 miles or just one mile more than the Lusitania covered on her last trip this way, and she was 10 minutes ahead of the Lusitania's record. She broke her own best westward record by 3 hours and 41 minutes.

She did her great act with one blade of one of her propellers gone. The others, however, appear to have been doing very well, thank you. A report from London said that she was coming here under only three screws. There is no doubt in the minds of her agents here that she would have beaten all records if she had not run into an extensive fog bank.

At 8 o'clock yesterday morning Vernon H. Brown received a message from Capt. Pritchard saying that the great ship was then within 770 miles of Sandy Hook lighthouse and that in the preceding fifteen hours, or from 5 o'clock on Sunday afternoon until the time the message was sent, she had averaged more than twenty-six knots. The captain reported that he had run into a heavy fog and that he would have to reduce speed. That he had been forced to do this was apparent when he passed the lighthouse light, as it had taken him four and a half hours to creep about seventy-seven miles through the murk. This is at an average speed of about seventeen knots.

Allowing for the time, more than an hour, she lost in the fog, the Mauretania would have beaten the Lusitania's record handsomely. But an average of 24.86, if she keeps it up for two consecutive trips, is more than enough to help her win the subvention of \$750,000 a year which she and her sister ship will be entitled to when each makes an average for one round trip of merely 24.80, which looks like a cinch.

As the Mauretania passed Nantuxet lighthouse the air had cleared somewhat and she was going down the homestretch at top speed with horizontal pennants of black smoke from her four red funnels. She passed so close to the lighthouse that the latter's crew and the liner's passengers could readily see one another and they exchanged cheers.

WOULD OUT SERVICE IN SUBWAY

And an Elevated, Too, for the Summer—Interborough Appeals for Relief.

President E. P. Bryan and General Manager Rapid Transit Company met the members of the Public Service Commission yesterday in executive session and appealed for some radical modifications of the orders relating to the service which the company is required to provide on the elevated and subway lines.

It was contended by Mr. Bryan and Mr. Hedley that the service now demanded by the commission was entirely too great for the amount of travel and that unless the company was permitted to make reduction in the number of cars and the number of trains run serious financial trouble would result.

In the last month there had been a large falling off in the number of passengers carried. Since the beginning of the year the commission had compelled the company to increase its car mileage 14 per cent., whereas the increase in travel had been only 5 per cent. In the corresponding period last year the increased traffic was 15 per cent. The commission was requested to allow the company to make up a new schedule allowing a reduced service in the summer months.

The matter was referred to Commissioners Eustis and Malthe, who will hold another conference to-day with Mr. Bryan and Mr. Hedley.

THIRD TERM RENUNCIATION.

President's Letter Said to Have Been Sent to U. S. Marshal Tamm of West Virginia.

WASHINGTON, June 1.—According to a rumor which found credence in Washington to-day, the identity of the mysterious person who received the alleged "no friend of mine" letter from President Roosevelt is established. The West Virginia citizen to whom this latest third term declaration was addressed is said to be Frank H. Tyree, United States Marshal in that State. Tyree was for several years an employee of the Secret Service and until 1906 acted as President Roosevelt's bodyguard, accompanying the President on all his journeys and being stationed at the White House when Mr. Roosevelt was in Washington.

The White House authorities to-day, while not denying that the third term letter was written, declined to give the name of the West Virginian to whom it was said to have been addressed. The last time Marshal Tyree visited Washington he said the political sentiment in West Virginia was strong for Roosevelt's re-nomination, but the President is reported to have expressed the hope in writing to his former bodyguard that "no friend of mine" would vote for him at Chicago.

13 INCHES OF SNOW IN NEVADA.

Region About Ely Begins June With the Heaviest Precipitation of the Year.

ELY, Nev., June 1.—This part of Nevada had the heaviest snow of the year last night and early to-day, when twelve inches of snow fell. Reports from the country around show that the storm was general, approaching the proportions of a blizzard in many places.

SUPERIOR TO LEONARDO.—A teaspoonful of Superior's Acid Phosphate added to a glass of cold water, refreshes and invigorates. As ideal tonic—dissolve.

STOLEN GAINSBOROUGH FOUND.

"Giri and Dog" Under a Boarding—Bully Scratched, but Can Be Restored.

LONDON, June 1.—Gainsborough's "Giri and Dog," which was stolen from a private collection in Kensington in November, 1905, has been found wrapped in a newspaper beneath the doorstep of a house in the East End of London.

The painting is much scratched and cracked, but probably it can be restored.

SECV GARFIELD OFF FOR HAWAII.

The Battleship Maine to Take Him to the Island From San Francisco.

WASHINGTON, June 1.—Secretary James R. Garfield will leave Washington to-morrow morning for Hawaii. The battleship Maine will take him from San Francisco to Honolulu. The Maine and the Alabama are scheduled to return to the Atlantic coast and they will do so via the Hawaiian Islands.

Mr. Garfield is on official business and will be absent from Washington about three months. His presence in Hawaii is needed to clear up a mass of administrative detail that piles upon the Interior Department by reason of the time required for exchange of correspondence between the Secretary in Washington and the officials in Hawaii.

LOWEST DEATH RATE SINCE '95.

According to Health Department's Figures for Week Ended Memorial Day.

The city's death rate for the week ended May 30 was the lowest for any week since 1895, according to the figures of the Board of Health. The number of deaths was 1,871. The rate was 15.75 per thousand, against 18.38 for the same week last year.

There were twelve deaths from typhoid fever last week, against five for the same week last year, and 140 deaths from heart disease, against ninety-two for the same week last year.

FIGHT FOR THE ALLEN'S MONEY.

Objections to Probate of Will Filed by Brothers and Sister.

The contest over the will of The Allen of poolroom fame will come up for a hearing before Surrogate Thomas on Thursday. Objections to the probate of the will, which left all the poolroom man's property to his adopted daughter, Minnie T. Oestheim, were filed yesterday with Clerk Washburn by Martin Van Buren Allen, brother of the testator; Hannah L. Meyers, a sister, and Frank L. Allen, William O. Allen and George H. Allen, half-brothers.

They allege that the execution of the will was procured by undue influence and fraud on the part of Minnie Oestheim and her husband, C. W. Owens. The contestants also allege that The Allen never did legally adopt Minnie Oestheim. The value of the estate is said to be in excess of \$500,000.

RYAN NOT GOING TO DENVER.

Nothing to Say About Reported Gift to a Bryan Campaign Fund.

Thomas F. Ryan was asked yesterday: "Have you anything to say regarding your reported contribution to the Nebraska Democratic campaign fund to elect Mr. Bryan Senator in 1904?"

"I have not."

"Are you going to the Democratic national convention as a delegate?"

"No."

"Shall you be in Denver at the time of the convention?"

"No."

OLD JIM IRVING DROPS IN.

Aged 87, Blind, and Hoping to Know Another Democratic President.

One of the visitors who called on Charles F. Murphy yesterday at Tammany Hall was "Old Jim" Irving, as he is called by the remnants of his followers who supposed that when he started the Irving Hall Democratic more than thirty years ago. Mr. Irving is now 87 years old and is blind. He was led into Tammany Hall yesterday by two friends and introduced to Mr. Murphy, who told him that he was pleased to meet such an old timer. Mr. Irving responded by saying that he hoped to live long enough to "see" the Democratic party win again in a Presidential year.

95 IN THE SHADE IN BERLIN.